IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 764 (M/S) of 2006

Dhirendra Rawat S/o Brij Mohan Singh Rawat

R/o Gorakhpur Malla, Haldwani, Distt. Nainital …….Petitioner

Versus

1. Secretary, Uttaranchal Education & Examination Board, Ram Nagar, Distt. Nainital.
2. Additional Secretary, Uttaranchal Education & Examination Board, Ram Nagar, Distt. Nainital.
3. District Education Officer, Ram Nagar, Distt. Nainital.
4. Jitendra Chandra S/o Sri Shankar Chandra, R/o Teental, post office-Manpur West Devalchaurh, Rampur Road, Haldwani, Distt. Nainital. ….Respondents.

Mr. Sudhir Singh, Counsel for the petitioner

Standing Counsel for the respondents No. 1,2 and 3.

Dated 20.6.2006

Hon'ble Rajesh Tandon, J.

By the present writ petition, the petitioner has prayed for a writ of mandamus, commanding the respondent no.1 to inquire into the matter, and examine the marks-sheet issued to the respondent no.4 with reference of date of birth mentioned therein.

Briefly stated, the petitioner has submitted that in order to obtain the bail and to escape from regular trial, the respondent no.4 has tried to get himself as jurvenile. The matter was referred to the Medical board

for examination, and the medical board has declared the respondent no.4 as 18 years of age.

Petitioner has referred annexure No. 3 & 4 during the arguments. However, without entering into the merits of the case, respondent no.1 is directed to decide the representation filed on 9.5.2006 within a period of one month from the filing of the certified copy of the order.

Writ petition is disposed of. No order as to costs.

Dated 20.6.2006 (Rajesh Tandon, J.)